



City of Broken Arrow

City Staff to complete this section

Case Number: _____

Dev. Number: _____

Application for Closing Easements and/or Rights-of-Way

Applicant (Print Name): _____ Phone: _____

Address: _____ Zip Code: _____

FAX Number: (_____) _____

Property Owner(s) of Record: _____ Phone: _____

Address: _____ Zip Code: _____

FAX Number: (_____) _____

Signature of Property Owner(s) or provide a copy of Property Deed showing ownership (Required):

A. Parcel Number (Required): _____ (Obtained from County Tax Bill)

B. Legal description and address of the subject property:

C. Legal description of entire easement or public right-of-way:

D. Legal description of portion to be closed (Please provide copy of legal description on 3 1/2" floppy disk):

E. Detailed description of reason for your request:

F. Survey of property (please attach)

Date Application Received: _____ Application Fee (\$100.00): _____ Receipt #: _____

Recommended City Action: ☐ Remove Encroachment ☐ Release of Liability ☐ Closure

Date Land Records Publishing and Filing Fees Received: _____ Receipt # _____

Total Ordinance Publishing (150.00) and Ordinance Filing Fee (\$25.00) = (\$175.00): _____

Final City Action: ☐ Remove Encroachment ☐ Release of Liability ☐ Closure

Easement and or Rights-of-Way Closing Application

In response to your request to close a public easement on property you own, City Staff will review your request and determine whether it meets the standards adopted by the Broken Arrow City Council on May 6, 2002. The Community Development Coordinator will inform you whether:

- (1) If an item constructed on an easement and/or right-of-way must be removed;
- (2) If an item constructed on an easement and/or right-of-way may be allowed to remain as a nonconforming use, without closing the easement and/or right-of-way. When this occurs, a legal document known as a "Release of Liability Agreement", clearly identifying the intrusion into the easement and/or right-of-way and placing all liability for its repair on the property owner, should it be damaged by the City or a utility contractor, will be filed in the appropriate county as part of the land record for property on which the easement is located; and
- (3) If an easement and/or right-of-way will be closed through the proper legal channels, the applicant requesting the closure will pay all costs associated with the closure.

Attached you will find a form used by the City of Broken Arrow when a property owner wishes to apply to obtain a "Release of Liability Agreement" or closure an easement or right-of-way within the City. Please complete the form and the County Parcel Number located on your tax bill in Section "A", give the full legal description of the subject property in Section "B", the full legal description entire easement in Section "C" and the full legal description of the portion of the easement you seek to close in Section "D". You may submit these descriptions, clearly labeled, on a separate sheet of paper if you need additional space. All legal descriptions must be typed, not handwritten. You need to have the easement surveyed by a professional surveyor in order to obtain an accurate legal description. Please include a written explanation for the request to obtain a "Release of Liability Agreement" or closure of the subject easement in Section "E", and Section "F" attach a copy of the property survey.

You must then submit this form and all required documentation to the Community Development Coordinator for review by Engineering, Planning, Public Works and Legal Departments.

If your request to obtain a "Release of Liability Agreement" or closure is approved by City Staff, another form will be provided to you to acquire the signatures of the utility companies indicated, who will sign and date the form if they do not object to the "Release of Liability" or closing of the easement or right-of-way. All utility companies may sign a single document, or you may send photocopies to each utility and assemble them thereafter.

Please note that if the closing involves a street or alley right-of-way, you must also request and secure the signature(s) of the adjacent landowner(s) prior to submitting your application for the closing of a street or alley.

After you obtain the required signatures, you shall return the signed originals to the Community Development Coordinator. The City Council will hear your request at a public hearing and Council's concerns, if any, regarding the easement or right-of-way will be made at this preliminary public meeting. The necessary paperwork for the requested action will be forwarded to the Legal Department who will prepare a preview ordinance for the City Council. The City Council will vote whether to adopt the easement or right-of-way closing ordinance at the next meeting after the public hearing. After action by the City Council the City Clerk will then forward the necessary paper work for the requested action to the Legal Department who will prepare the appropriate paper work for City Council action then will file the appropriate paper work in the County Courthouse where the subject property is located.

If you have any questions or comments, please feel free to contact the Community Development Coordinator.



**City of Broken Arrow
Community Development**

Utility Company Sign-Off

**Vaunda K. Pendergraft, CFM
(918) 259-2400 ext. 5275**

Applicant: _____

Mailing Address: _____

City, State, Zip: _____

Legal: _____

Subdivision (Lot/Block): _____

Section/Township/Range: _____

AEP/PSO: _____

Signature

Printed name: _____

Comments: _____

Valor Telecom: _____

Signature

Printed name: _____

Comments: _____

ONG: _____

Signature

Printed name: _____

Comments: _____

Cox Communications: _____

Signature

Printed name: _____

Comments: _____

Curtis Bryant

AEP/PSO, Engineering Dept.
(918) 599-2912
Fax: 1-866-247-8466
212 E 6th Street
Tulsa, OK 74102

Angela Rahe

Valor Telecom
(918) 451-3427
Fax: (918) 451-1865
2300 S. First Street
Broken Arrow, OK 74012

Mike Pelfrey

Oklahoma Natural Gas
(918) 451-3814
Fax: (918) 451-0899

Kevin Catlett

Cox Communications
(918) 286-4658
Fax: (918) 286-4018
11811 E. 51st Street
Tulsa, OK 74146-6000